

FAX Transmission Sheet

WALL MARJAMA & BILINSKI

Intellectual Property Practice

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Date: June 13, 2001

FAX #: 703-308-7751

To: Mrs. Ivey

From: Tammy Senecal

Subject: 281-345

You should receive 10 page(s) including this cover sheet. If you do not receive all pages, please call (315) 425-9000.

COMMENTS:

Dear Mrs. Ivey:

Per your request, I have included both of the notices we have received and our response. The notice dated 6/5/01, is of great concern. This Notice of Incomplete Reply concerning the abstract was not indicated on the first notice dated 3/21/01, therefore we did not respond to it. On the Notice of Incomplete Reply it states an extension of time may be required. Why do we need to pay for an extension?

We are requesting a new formalities letter to clarify what exactly is missing, what we need to respond to, and the date due to correct these informalities if any are due. There should not be any extension of time due.

Please contact me should you have any other questions or concerns. Thank you for your assistance in this matter.

Very truly yours,

Tammy S. Senecal

IMPORTANT - THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND DESTROY THE COMMUNICATION. THANK YOU.

WALL MARJAMA BILINSKI

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

May 21, 2001

Steven R. Slawson; Chris R. Roberts; Allan

Docket No.: 281-345

I. Krauter; Ervin Goldfain

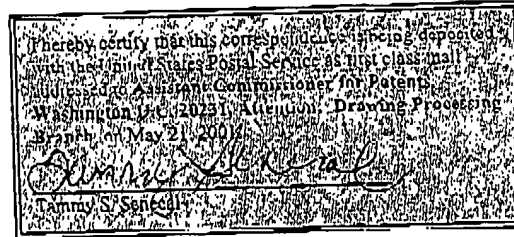
Art Unit: 2873

Filed: February 14, 2001

Examiner: Not Assigned

Ser. No.: 09/783,224

For: EYE VIEWING DEVICE COMPRISING EYE CUP

Assistant Commissioner for Patents
Washington, DC 20231

ATTENTION: DRAWING PROCESSING BRANCH

COMMUNICATION

Sir:

Enclosed herewith for filing are 5 sheets of formal drawings (Figs. 1A-4E).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

WALL MARJAMA & BILINSKI

By:

George S. Blasiak
Reg. No. 37,283

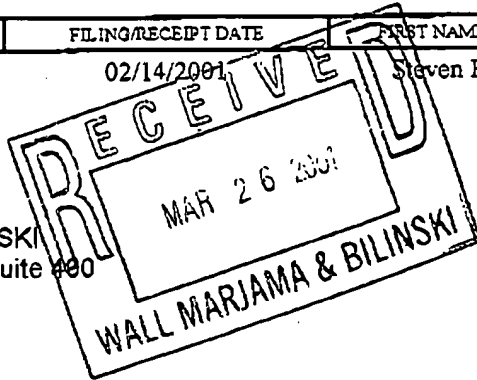
GSB/ts
101 South Salina Street, Suite 400
Syracuse NY 13202
(315) 425-9000
Customer No. 020874



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/783,224	02/14/2001	Steven R. Slawson	281-345

George S. Blasiak
WALL MARJAMA & BILINSKI
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Syracuse, NY 13202

CONFIRMATION NO. 1587

FORMALITIES LETTER



OC000000005986547

Date Mailed: 03/21/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 1A described in the specification.

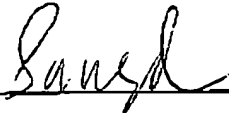
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date must be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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09/783,224	02/14/2001 JUN - 8 2001	Steven R. Slawson	281-345

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CONFIRMATION NO. 1587

FORMALITIES LETTER



OC00000006149020

Date Mailed: 06/05/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

*A copy of this notice **MUST** be returned with the reply.*


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